

**MINUTES
CITY OF YUMA
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, JANUARY 06, 2010
6:12 P.M.**

CALL TO ORDER

Mayor Krieger called the City Council meeting to order immediately after the Inauguration Ceremony.

INVOCATION/PLEDGE

The invocation and pledge were given at the beginning of the Inauguration Ceremony by **Captain Jonathan Harvey**, The Salvation Army, and **Councilmember Johnson**, respectively.

ROLL CALL

Councilmembers Present:	Stuart, Mendoza, Beeson, McClendon, Brooks-Gurrola, Johnson and Mayor Krieger
Councilmembers Absent:	none
Staffmembers Present:	City Administrator, Mark Watson Deputy City Administrator, Bob Stull Fire Chief, Jack McArthur Director of Information Technology Services, Laurie Neinast Various Department Heads or their representative City Clerk, Brigitta M. Kuiper

FINAL CALL

Mayor Krieger made a final call for the submission of Speaker Request Forms from members of the audience.

PRESENTATIONS - none

COMMUNICATIONS / FACTUAL RESPONSES - none

I. CALL TO THE PUBLIC

Chuck Russell, 2901 S. Palo Verde Lane #9, invited Mayor and Council to an upcoming event celebrating the life of Martin Luther King, Jr., on Monday, January 18, 2010.

Mary Ann Easterday, 3359 S. 15th Avenue, spoke in opposition of the Special Event Liquor License for the Friends of Yuma County Libraries; she is against liquor being served at family functions.

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Appointment of Deputy Mayor

Motion (Mayor Krieger/Beeson): To appoint Paul Johnson as Deputy Mayor. Voice vote: **approved 7-0.**

II. MOTION CONSENT AGENDA

Motion (Mendoza/McClendon): To approve the Motion Consent Agenda as recommended, with the exception of item B.8 which was removed by Mayor Krieger, and items B.2 and B.9 which were removed by Mendoza for separate consideration. Voice vote: **approved 7-0.**

A. Approval of minutes of the following City Council meetings: none

B. Approval of Staff Recommendations:

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (Attny)
2. Removed for separate consideration; see below.
3. Approve a Special Event Liquor License application submitted by John E. Williams, on behalf of the Hospice of Yuma for the annual Roping Round Up and Concert. The scheduled event will be held at the Yuma County Fairgrounds, 2520 E. 32nd Street, on Saturday, February 6, 2010 from 12:30 p.m. to 11:00 p.m. (SP09-19) (Admin/Clerk)
4. Approve a Special Event Liquor License application submitted by Herschel Patterson, on behalf of the American Legion Post 19, for the Blue Grass Festival. The scheduled event will be held at the West Wetlands Park, 2200 W. Water Street, on Saturday, January 23, 2010 from 10:00 a.m. to 6:00 p.m. (SP09-20) (Admin/Clerk)
5. Approve a #6 Bar (Person Transfer/Interim Permit) Liquor License application submitted by Brian Scott Schroeder, agent for Hooligans Comedy Club & Sports Bar, 3950 W. 24th Street, Yuma, Arizona. (LL09-22) (Admin/Clerk)
6. Authorize a contract amendment for additional engineering design services required to complete the 28th Street Storm Drainage, with the following firm: Dibble Engineering, Phoenix, Arizona. (RFP 96036) (Eng)
7. Award to the lowest responsive/responsible bidder for the Deyo Complex Tennis Court Rehabilitation at a total cost of \$367,466.18 to DPE Construction, Inc. Yuma, Arizona. (Bid 2010000233) (Eng)
8. Removed for separate consideration; see below.

9. Removed for separate consideration; see below.

Motion Consent Agenda Items Removed for Separate Consideration

- B.2 Approve a Special Event Liquor License application submitted by Ruth Ann Zinn, on behalf of the Friends of Yuma County Libraries, Inc. The scheduled event is a fundraiser in support of the Yuma Main Library and will be held at 2951 S. 21st Drive, on Saturday, January 23, 2010, from 6:00 p.m. to 9:00 p.m. (SP09-18) (Admin/Clerk)

Mendoza suggested the item be pulled for separate discussion because it was opposed to in *Call to the Public*. This event is an annual fundraiser called "Death by Chocolate" that has been held by the Friends of the Library for many years. As with any other liquor license that has opposition, this item should be discussed.

McClendon asked if the event would be held in the Main Library. Will it be closed to the public? **Kuiper** confirmed the event is being held inside the library facility. **Stuart** noted that the library will be closed at 5:00 p.m. on Saturday and the event will only be open to ticket holders.

Motion (Mendoza/McClendon): To adopt the Motion Consent Agenda item B.2, Special Event Liquor License: Friends of Yuma County Libraries, Inc. Voice vote: **approved** 7-0.

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- B.8. Reject all bids for the construction of Fire Department Pre-Engineered Training Tower and Burn Building. (Bid 2008000328) (Eng)

Motion (McClendon/Beeson): To continue Motion Consent Agenda item B.8, Bid Rejection for the Fire Department Pre-Engineered Training Tower and Burn Building to the January 20, 2010 Regular City Council meeting at the request of the City Administration.

Mendoza asked staff to update City Council on the additional information received. **Watson** stated that three protests have been received. Staff needs additional time to review and make the best decision on behalf of the City.

McArthur stated that staff wanted to move the process forward; however, there is no pressing need to make a decision now.

Voice vote: **approved** 6-0-1; Mayor Krieger abstaining due to a conflict of interest.

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- B.9. Approve a standard Intergovernmental Agreement to provide Information Technology Services to other governmental agencies on as as-needed basis as time permits and authorize the City Administrator to approve requested services and modify fees charged when necessary. (ITS)

Mendoza: Is the City competing with local businesses that can provide Information Technology Services (ITS) and computer services to other local governments?

Neinast outlined the following:

- Local government agencies need specific services, in which City staff has expertise in.
- With a mechanism in place, the City would impose a fee for services such as maintenance and management of the 911 system in preparation of a wireless project.
- No local service in the Yuma area provides this type of integration.
- As part of the Yuma Regional Communication System, equipment is being installed together with local agencies; Qwest, Sprint, or Time Warner will get fiber optic projects implemented and integrated for the purpose of data sharing.
- This is a way of working better with local government agencies. It is not the City's intent to take away any services of local vendors; the intent is to share services that are not available at the level of expertise the City can offer.

Neinast stated there are few local businesses that provide similar services that are needed and fewer that compare to what the City has to offer. The local expertise cannot manage and integrate the networks, nor provide the engineering that is necessary.

Beeson stated the City should not compete directly with private businesses; however there is a need for City staff to keep the level of expertise up and pay for training and certifications. Therefore, he proposed to remove items from the agreement that compete with local businesses.

Neinast clarified an example of what computer training may be needed for such as implementing systems that are for joint use such as hand held radios and/or software applications. City staff would attend the training sessions and would provide the assistance to the other agencies. As that assistance is provided, the City of Yuma would then apply charges to those services.

Mendoza stated he would like to come back and revisit this item after finding out what the services are that are not offered by local vendors.

Johnson: Millions of dollars has been spent trying to integrate the City's communication systems and there is a need to standardize the Geographic Information System (GIS) services that are provided by other governmental entities. This is a further effort to increase efficiency of all governments in Yuma County by working together and benefiting from each others expertise.

Mayor Krieger pointed out that the services are on an as-needed basis and authorizes the City Administrator to approve the request. This does not appear to be in competition with the private sector.

Motion (Johnson/McClendon): To approve item B.9, standard Intergovernmental Agreement: Information Technology Services. Roll call vote: **approved** 5-2; Mendoza and Beeson voting Nay.

III. RESOLUTION CONSENT AGENDA – none

IV. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (Johnson/McClendon): To adopt the Ordinance Consent Agenda as recommended.

Kuiper displayed the following titles:

Ordinance O2010-01

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, rezoning certain properties hereinbefore located in the Light Industrial (L-I) District to the Heavy Industrial (H-I) District and amending the zoning map to conform thereto
(Applicant: City of Yuma on behalf of Yuma County Airport Authority for rezoning of property: 3861 & 3885 South Pico Avenue; Z2009-016) (DCD/Planning)

Ordinance O2010-02

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that a certain parcel of real property, hereinafter described, be acquired by the City of Yuma, as an access easement for the reason that such property is required to improve the public roadway and stormwater utility infrastructure and other public purposes as may be related thereto, and authorizing payment therefor, together with costs necessary for the acquisition of an access easement for said parcel of real property

(Stormwater drainage access easement: Kohl's Department Stores, Inc.) (Eng)

Ordinance O2010-03

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that a certain parcel of real property, hereinafter described, be acquired by the City of Yuma, by gift, easement, purchase or under the power of eminent domain, for the reason that such property is required to improve the public roadway and utility infrastructure and other public purposes as may be related thereto, and authorizing payment therefor, together with costs necessary for the acquisition of said parcel of real property

(Right-of-way acquisition: 12th Street – Lot 209 of Magnolia Village Unit No. 3 for 12th Street reconstruction between Avenue B and Avenue A) (Eng)

Ordinance O2010-04

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 3, Chapter 36, Section 36-37 of the Yuma City Code to allow the City Administrator or designee to grant a monetary preference to local bidders not in conflict with other law

(Local Preference) (Finance/Purchasing)

Roll call vote: **adopted** 7-0.

V. INTRODUCTION OF ORDINANCES

Kuiper displayed the following titles:

Ordinance O2010-05

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that a certain parcel of real property, hereinafter described, be acquired by the City of Yuma, by gift, purchase or under the power of eminent domain, for the reason that such property is required to improve the public roadway and utility infrastructure and other public purposes as may be related thereto, and authorizing payment therefor, together with costs necessary for the acquisition of said parcel of real property

(Property acquisition: 32nd Street improvements, between Avenue B and Avenue A) (Eng)

Ordinance O2010-06

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that a certain parcel of real property, hereinafter described, be conveyed by easement to Arizona Public Service Company by the City of Yuma, for the reason that such easement is required for the construction, operation and maintenance of City of Yuma pathway infrastructure
(Conveyance of easement to Arizona Public Service Company for lighting of the West Wetlands Pathway)
(Eng)

Ordinance O2010-07

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, relating to zoning regulations, providing for changes to the zoning code to allow temporary signs for businesses that are currently impacted by any type of undergoing active roadway construction, repair, or maintenance that is occurring in front of and/or adjacent to the property, and providing penalties for violations thereof
(Zoning Code Text Amendment: Temporary Signs; Z2009-018R) (DCD/Planning)

Ordinance O2010-08

An ordinance of the City Council of the City of Yuma, Arizona, ordering a mail ballot Special Election for the qualified electors of the City of Yuma, Arizona, for the purpose of determining whether to amend Article XII, Section 2 "Local, Preference", of the Charter of the City of Yuma, Arizona, as amended
(Admin/Clerk)

VI. PUBLIC HEARINGS - none

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING (continued)

Appointment of City Councilmembers

Motion (Mayor Krieger/Mendoza): To appoint the following:

- Leslie McClendon to the Employee Benefit Trust
- Mayor Krieger to the Greater Yuma Economic Development Corporation (GYEDC), Executive Board
- Mayor Krieger to the Greater Yuma Economic Development Corporation (GYEDC), Board of Directors, alternate Bobbi Brooks-Gurrola
- Raul Mendoza to the Western Arizona Council of Governments (WACOG), Executive Board, alternate Susana Chavez
- Raul Mendoza to the Western Arizona Council of Governments (WACOG), Council on Aging
- Raul Mendoza to the Western Arizona Council of Governments (WACOG), Yuma County Advisory Board
- Mayor Krieger, Paul Johnson and Cody Beeson, to the Yuma Metropolitan Planning Organization (YMPO), Executive Board

- Mayor Krieger to the Greater Yuma Port Authority (GYPA), alternate Terre Catanzaro

Voice vote: **approved 7-0.**

Appointments to boards, commissions, committees and offices

Motion (Mayor Krieger/Beeson): To appoint Del Cave to the Merit System Board for one term to expire 01/15/2012. Voice vote: **approved 7-0.**

Announcements

Johnson stated he would be attending an upcoming Rural Transportation Advocacy Council Meeting in Phoenix.

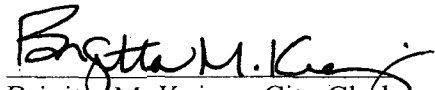
Scheduling

Motion (McClendon/Johnson): To cancel the January 19, 2010, Special Worksession.
Voice vote: **approved 7-0.**

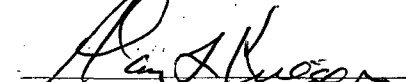
VIII. SUMMARY OF CURRENT EVENTS – none

IX. EXECUTIVE SESSION/ADJOURNMENT

Mayor Krieger adjourned the meeting at 6:52 p.m. No Executive Session was held.


Brigitta M. Kuiper, City Clerk

APPROVED:


Alan L. Krieger, Mayor

